

STATE MS.-DE SOTO COUNTY

GRANTORS

S.E. Burks, Jr., a/k/a Samuel Edward Burks, Jr.
Pamela P. Burks, a/k/a Pamela Ann (Paden) Burks
5000 Robertson Gin Road
Hernando, MS 38632
(H) 662-429-4486
(W) 901-795-2824
(C) 901-553-3878

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TO

SPECIAL WARRANTY ASSUMPTION DEED

S.E. Burks, Jr., a/k/a Samuel Edward Burks, Jr.
5000 Robertson Gin Road
Hernando, MS 38632
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GRANTEE

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, pursuant to the property settlement agreement entered on the 27th day of January, 2004, filed by the Chancery Court of DeSoto County, Mississippi in cause number 03-06-1024 (MM) styled Pamela Ann (Paden) Burks, Plaintiff vs. Samuel Edward Burks, Jr., Defendant, the receipt and sufficiency of all of which is hereby acknowledged, we S.E. Burks, Jr., a/k/a Samuel Edward Burks, Jr., and wife, Pamela P. Burks, a/k/a Pamela Ann (Paden) Burks, Grantors do hereby sell, convey, and warrant unto S.E. Burks, Jr., Grantee, the house and lot lying and being situated in the City of Hernando, DeSoto County, Mississippi, described as follows, to-wit:

Part of the Southwest Quarter of Section 26 and Part of the Northwest Quarter of Section 35, Township 3 South, Range 8 West, DeSoto County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a masonry nail on the centerline of Robertson Gin Road commonly accepted as the southwest corner of said Section 26; thence run South 89 degrees 38'23" East a distance of 40.00 feet to a point on the east

right-of-way line of said Robertson Gin Road (80-feet wide) and the Point of Beginning; thence run North 00 degrees 21'37" East a distance of 289.79 feet along said east right-of-way line to a point; thence run the following calls along a line 30-feet south of and parallel to a gravel road to a point:

South 83 degrees 04'46" East 3.82 feet
 South 81 degrees 53'12" East 20.99 feet
 South 75 degrees 10'36" East 67.13 feet

Thence run South 31 degrees 53'39" East a distance of 448.60 feet to a point; thence run North 89 degrees 56'16" East a distance of 500.77 feet to a point; thence run South 00 degrees 32'03" West a distance of 429.13 feet to a point on the North line of the Dr. Luby Jones property; thence run South 89 degrees 56'16" West a distance of 828.93 feet along the north line of said Jones property to the east and the north line of the Junior L. Keel property to the west to a point on the east right-of-way line of Robertson Gin Road; thence run North 00 degrees 32'03" East a distance of 222.88 feet along said east right-of-way line to a point; thence run North 00 degrees 21'37" East a distance of 318.14 feet along said East right-of-way line to the Point of Beginning and containing 10.02 acres. Bearings are based on true north as determined by solar observation. The above description was written from a plat of survey by Danny S. Rutherford, P.E.L.S., dated June 13, 1997.

By way of explanation this is the same property conveyed by Ann Yates Whitten, Grantor, to S. E. Burks, Jr. and wife, Pamela P. Burks, by virtue of a Warranty Deed executed on the 23rd day of June, 1997, filed on the 26th day of June, 1997 at 1:41 P.M., recorded in Book 318, Page 91 in the office of the Chancery Court Clerk of DeSoto County, Mississippi.

Further consideration for the above-described property is given the assumption by the Grantee of that certain Deed of Trust given by S.E. Burks, Jr., and wife, Pamela P. Burks, for the benefit of Wells Fargo Financial Nevada Too, Inc. secured on the 3rd day of April, 2001, being filed for record on April 5, 2001 at 2:53 P.M., recorded in Deed of Trust Book 130, Page 255, in the Deed of Trust records the office of the Chancery Court Clerk of DeSoto County, Mississippi.

Grantors hereby set over and assign without charge or fee, unto Grantee any and all escrow funds held by Wells Fargo Financial Nevada Too, Inc., and/or its assigns, in connection

with the above-described property.

The Grantee, S.E. Burks, herein is to assume without recourse to the Grantor, Pamela P. Burks, the entire indebtedness existing thereon at the time of the conveyance.

The warranty in this Deed is subject to rights of ways and easements for public roads and public utilities, to building, zoning, subdivision and health department regulations in effect in DeSoto County, Mississippi.

Possession shall pass upon delivery to the Grantee.

Taxes for the year 2003 shall be assumed by the Grantee.

Witness our signature(s), this the 8th day of March, 2004.

Pamela P. Burks
Pamela P. Burks, Grantor

S.E. Burks, Jr.
S.E. Burks, Jr., Grantor

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority at law, in and for the state and county aforesaid, the within named S.E. Burks, Jr., Grantor, who acknowledged that he signed and delivered the above and foregoing Deed on the day and year therein mentioned, as his free act and deed for the purposes and consideration as therein expressed.

Sworn to and subscribed before me this the 8th day of March, 2004.



Lottie Lou Garner
Notary Public

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority at law, in and for the state and county aforesaid, the within named Pamela P. Burks, Grantor, who acknowledged that she signed and delivered the above and foregoing Deed on the day and year therein mentioned, as her free act and deed for the purposes and consideration as therein expressed.

Sworn to and subscribed before me this the 8th day of March, 2004.

Mary Walker Brea
Notary Public



My Commission Expires: 2-19-07

PREPARED BY:
H.R. Garner, Esq.
P.O. Box 443
Hernando, MS 38632
662-429-4411

No title work done and none requested

PREPARER'S STATEMENT AND INDEXING INSTRUCTIONS

TYPE OF INSTRUMENT:

(X) SPECIAL WARRANTY ASSUMPTION DEED

PREPARER'S NAME AND ADDRESS:

(X) H. R. Garner
Attorney at Law
283 Loshier Street
Hernando, MS 38632
662-429-4411

INDEXING INSTRUCTIONS:

Please index in Part of the Southwest Quarter of Section 26 and Part of the Northwest Quarter of Section 35, Township 3 South, Range 8 West, DeSoto County, Mississippi

TENDERED FOR RECORDING BY (PLEASE RETURN TO):

(X) H. R. Garner
Attorney at Law
283 Loshier Street
Hernando, MS 38632

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